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**WOOD, HERRON & EVANS, L.L.P.**

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**PATENT, TRADEMARK, COPYRIGHT  
AND UNFAIR COMPETITION LAW  
AND RELATED LITIGATION**

EDMUND P. WOOD 1923-1968  
TRUMAN A. HERRON 1935-1978  
EDWARD B. EVANS 1936-1971

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**FACSIMILE COVER SHEET**

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\*ADMITTED ONLY IN D.C. AND VA

**TO:** The Honorable Commissioner  
Attention: Dameron L. Jones  
Art Unit: 1616

**FROM:** Beverly A. Lyman, Ph.D.

**Fax No.:** (703) 872-9306

**Phone:** (513) 241-2324

**Date:** November 22, 2004

**Fax:** (513) 241-6234

**Pages (including cover page):** 29

**Re:** U.S. Serial No. 09/757,333 VERSATILE HYDROPHILIC DYES  
Attorney Docket No. MRD-67

**ATTACHMENTS/COMMENTS: OFFICIAL**

Please deliver to Dameron L. Jones  
Amendment Transmittal (3 pages) (in duplicate)  
Amendment (19 pages)  
Terminal Disclaimer (3 pages)

**CERTIFICATE OF FACSIMILE TRANSMISSION**

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*Richard A. Stine*  
Richard A. Stine

November 22, 2004  
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Rhonda A. Etienne 11/22/04  
Rhonda A. Etienne Date

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Achilefu et al.  
Serial No.: 09/757,333  
Filed: January 9, 2001  
Confirmation No.: 5506  
Group Art Unit: 1616  
Examiner: Jones, Dameron L.  
Title: VERSATILE HYDROPHILIC DYES  
Atty Docket: MRD-67

Cincinnati, Ohio 45202

November 22, 2004

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.
2. ☐ Small Entity status is claimed.  
☒ Other than a Small Entity.
3. The fee has been calculated as shown below:

Page 1 of 3

(Col. 1)		(Col. 2)		(Col. 3)	SMALL ENTITY		LARGE ENTITY	
Claims Remaining After Amendment		Highest No. Previously Paid For		Extra	Present Rate	Fee	Present Rate	Fee
TOTAL	20	MINUS	20	= 0	x \$9	\$0	x \$18	\$0
INDEP.	3	MINUS	3	= 0	x \$43	\$0	x \$86	\$0
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+\$145	\$0	+\$290	\$0
TOTALS					TOTAL FEE	\$0	TOTAL FEE	\$0

- ☆ If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.  
 ☆☆ If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.  
 ☆☆☆ If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid for" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

X No additional fee for claims is required.

4. Attached is a check in the sum of \_\_\_\_\_ for the disclaimer fee.

X Please charge Deposit Account No. 23-3000 in the amount of **\$110.00** for the Terminal Disclaimer fee.  
A duplicate copy of this sheet is attached.

5. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

Complete (a) or (b) as applicable.

(a) \_\_\_\_\_ Applicant petitions for an extension of time under 37 CFR 1.136 for the total number of months checked below:

Extension (months)	Fee for other than small entity	Fee for small entity
one month	\$ 110.00	\$ 55.00
two months	\$ 420.00	\$210.00
three months	\$ 950.00	\$475.00
four months	\$1,480.00	\$740.00

Attached is a check in the amount of \$\_\_\_ for the three month extension fee as required by 37 C.F.R. § 1.17(c).

If an additional extension of time is required, please consider this a petition therefor.

(Check and complete the next item, if applicable)

An extension for \_\_\_ months has already been secured and the fee paid thereof of \$\_\_\_ is deducted from the total fee due for the total months of extension now requested. Extension fee due with this request \$\_\_\_.

OR

(b) XX Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

XX If any additional fee for claims or extension of time is required, charge Account No. 23-3000. A duplicate of this transmittal is attached.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

Beverly A. Lyman  
Beverly A. Lyman, Ph.D.  
Reg. No. 41,961

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Rhonda A. Etienne 11/22/04  
Rhonda A. Etienne Date

PATENT

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Applicants: Achilefu et al.  
Serial No.: 09/757,333  
Filed: January 9, 2001  
Confirmation No.: 5506  
Group Art Unit: 1616  
Examiner: Jones, Dameron L.  
Title: VERSATILE HYDROPHILIC DYES  
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Commissioner for Patents  
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FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+ \$145	\$0	+ \$290	\$0
TOTALS					TOTAL FEE	\$0	TOTAL FEE	\$0

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Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

Beverly A. Lyman

Beverly A. Lyman, Ph.D.  
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Rhonda A. Etienne 11/22/04  
Rhonda A. Etienne Date

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Examiner: Jones, Dameron L.  
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Atty. Doc. No.: MRD-67

Cincinnati, OH 45202

November 22, 2004

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**AMENDMENT**

In response to the Office Action dated August 23, 2004, applicants  
respond as follows:

**Amendments to the Claims** begin on page 2 of this paper.

**Remarks/Arguments** begin on page 15 of this paper.